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February 12, 2003

**Ex Parte Presentation**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

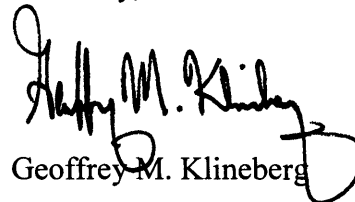
Re: *Application by SBC Communications Inc., et al. for Provision of In-Region,  
InterLATA Services in Michigan, WC Docket No. 03-16*

Dear Ms. Dortch:

On behalf of SBC Communications Inc. ("SBC"), I am attaching a copy of a letter that Cynthia J. Mahowald of SBC delivered today to Michael Hirrel of the Department of Justice's Telecommunications Task Force.

In accordance with this Commission's Public Notice, DA 03-156 (Jan. 16, 2003), SBC is filing this letter electronically through the Commission's Electronic Comment Filing System. Thank you for your kind assistance in this matter.

Sincerely,

  
Geoffrey M. Klineberg

Attachment

cc:	John P. Stanley	Ann R. Schneidewind
	Gina Spade	Qualex International
	Susan Pié	
	Layla Seirafi-Najar	
	Dorothy Wideman	



**Cynthia J. Mahowald**  
Vice President and  
General Counsel

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February 12, 2003

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**Michael Hirrel, Esquire**  
Telecommunications Task Force  
Antitrust Division  
U.S. Department of Justice  
1401 H Street, N.W., Suite 8000  
Washington, D.C. 20530

**Re: Appeal from ICC order in Z-Tel v. Ameritech Illinois, Docket 02-0160**

**Dear Mike:**

In Illinois we filed both a Petition for Review in the Appellate Court and a Notice of Appeal with the Illinois Commerce Commission in order to perfect an appeal from an Illinois Commerce Commission Order. Pursuant to your request, copies of the following documents filed on December 5, 2002 for the above referenced case are attached:

1. Petition for Review filed by Illinois Bell Telephone Company ("Ameritech") in the Appellate Court of Illinois for the Third District; and
2. Notice of Appeal filed by Ameritech with the Illinois Commerce Commission.

Should you have any questions or require any additional information, please feel free to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Cynthia Mahowald", with a stylized flourish at the end.

Enclosures

cc: **Brent Marshall**  
**Layla Seirafi-Najar**

**IN THE APPELLATE COURT OF ILLINOIS  
FOR THE THIRD DISTRICT  
NO. \_\_\_\_\_**

Illinois Bell Telephone Company d/b/a	}	
Ameritech Illinois,	}	
Petitioner,	}	Petition for Review of the
vs.	}	Orders of the Illinois
	}	Commerce Commission
	}	entered in Docket
Illinois Commerce Commission, and Z-Tel	}	No. 02-0160 on May 8,
Communications, Inc.,	}	November 7, and
	}	December 4, 2002.
Respondents.	}	

**PETITION FOR REVIEW**

Illinois Bell Telephone Company d/b/a Ameritech Illinois ("Ameritech" or "Petitioner"), by its attorneys, pursuant to Illinois Supreme Court Rule 335 and Section 10-201 of the Illinois Public Utilities Act ("Act"), 220 ILCS 5/10-201, hereby petitions the Illinois Appellate Court for the Third District for review of the Illinois Commerce Commission's Final Order entered on May 8, 2002, its Order on Rehearing entered on November 7, 2002, and its denial of further rehearing on December 4, 2002, in ICC Docket No. 02-0160. The Commission's Order held that Ameritech had violated subsections (2), (6), (9) and (11) of Section 13-514 and Section 13-801 of the Act and granted various forms of relief to Respondent Z-Tel Communications, Inc. ("Z-Tel"). The Order held that Ameritech was not subject to penalties under Section 13-516 of the Act with respect to its violation of Section 13-514. However, the Commission held that Ameritech was subject to penalties under Sections 13-304 and 13-305 of the Act with respect to its violation of Section 13-801 and directed that a penalty

proceeding should be initiated pursuant to those sections to determine whether penalties should be imposed upon Ameritech and, if so, in what amount.

Ameritech seeks review only of those portions of the Commission's Order and Order on Rehearing holding that Ameritech was subject to penalties under Sections 13-304 and 13-305 with respect to the violation of Section 13-801 of the Act and directing that a penalty proceeding be initiated.

A copy of the Notice of Appeal filed with the Illinois Commerce Commission on December 5, 2002, pursuant to Section 10-201 of the Act, is appended hereto and incorporated by reference.

Illinois Bell Telephone Company  
d/b/a Ameritech Illinois

By: \_\_\_\_\_  
One of the attorneys for Petitioner

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STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

ILLINOIS BELL TELEPHONE COMPANY	}	
d/b/a AMERITECH ILLINOIS	}	
	}	
Petitioner,	}	Appeal from the Orders of
	}	the Illinois Commerce
vs.	}	Commission entered in
	}	Docket No. 02-0160 on
Illinois Commerce Commission and	}	May 8, November 7,
Z-Tel Communications, Inc.	}	and December 4, 2002
	}	
Respondents.	}	

NOTICE OF APPEAL

PLEASE TAKE NOTICE that Illinois Bell Telephone Company d/b/a Ameritech Illinois ("Ameritech Illinois") being adversely affected by the Orders of the Illinois Commerce Commission entered in *Z-Tel Communications, Inc. v. Illinois Bell Telephone Company d/b/a Ameritech Illinois*, Docket No. 02-0160 on May 8, November 7, and December 4, 2002, hereby appeals from such Orders to the Appellate Court of Illinois for the Third District, being one of the Districts in which the subject matter of the above-entitled proceeding is situated, for the purpose of having the reasonableness and lawfulness of such Orders inquired into and determined. Ameritech Illinois seeks review of those portions of the Commission's Final Order and Orders on Rehearing holding that Ameritech Illinois was subject to penalties under Sections 13-304 and 13-305 with respect to its violation of Section 13-801 of the Act and directing that a penalty proceeding be initiated.

This Notice of Appeal is filed pursuant to Section 10-201 of the Public  
Utilities Act, 220 ILCS 5/10-201.

Illinois Bell Telephone Company  
d/b/a Ameritech Illinois

By: \_\_\_\_\_  
One of its attorneys

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**Notice of Filing and Certificate of Service**

The undersigned, an attorney, certifies that the foregoing Notice of Appeal of Illinois Bell Telephone Company d/b/a Ameritech Illinois was filed with Donna Caton, Chief Clerk of the Illinois Commerce Commission, 527 E. Capitol Avenue, Springfield, Illinois 62701 by *edocket* on December 5, 2002, and a copy was served upon each person on the attached Service List by email and by First Class mail, postage prepaid from Geneva, Illinois on December 5, 2002.

\_\_\_\_\_  
Edward A. Butts

Service List Docket 02-0160

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